

109TH CONGRESS  
1ST SESSION

# S. 834

To amend the Workforce Investment Act of 1998 to provide for integrated workforce training programs for adults with limited English proficiency, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

APRIL 18, 2005

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

---

## A BILL

To amend the Workforce Investment Act of 1998 to provide for integrated workforce training programs for adults with limited English proficiency, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Limited English Pro-  
5       ficiency and Integrated Workforce Training Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

8               (1) The Workforce Investment Act of 1998 sys-  
9       tem is designed—

1 (A) to ensure universal access for individ-  
2 uals in need of employment and training sys-  
3 tems; and

4 (B) to equip workers with those skills that  
5 contribute to lifelong education.

6 (2) The Workforce Investment Act of 1998 sys-  
7 tem is designed to recognize and reinforce the link  
8 between economic development and workforce devel-  
9 opment to meet the joint demands of employers and  
10 workers.

11 (3) The Workforce Investment Act of 1998 sys-  
12 tem should address the ongoing shortage of essential  
13 skills in the United States workforce in sectors with  
14 economic growth to ensure the United States re-  
15 mains competitive in the global economy.

16 (4) Immigrants accounted for over 50 percent  
17 of the growth in the civilian workforce between 1990  
18 and 2001, and assuming today's levels of immigra-  
19 tion remain constant, immigrants will account for  
20 half of the growth in the working age population be-  
21 tween 2006 and 2015.

22 (5) The growth of the United States workforce  
23 and the competitiveness of the United States econ-  
24 omy is directly linked to immigrants, some of whom  
25 are limited English proficient.

1           (6) The Workforce Investment Act of 1998 sys-  
 2           tem may be significantly strengthened by funding  
 3           the development of an employer centered integrated  
 4           workforce training program for adults with limited  
 5           English proficiency, taking into account the needs of  
 6           the local and regional economy and the linguistic, so-  
 7           cial, and cultural characteristics of the individual.

8   **SEC. 3. INTEGRATED WORKFORCE TRAINING PROGRAMS**  
 9                   **FOR ADULTS WITH LIMITED ENGLISH PRO-**  
 10                   **FICIENCY.**

11           Section 171 of the Workforce Investment Act of 1998  
 12           (29 U.S.C. 2916) is amended by adding at the end the  
 13           following:

14           “(e) INTEGRATED WORKFORCE TRAINING PRO-  
 15           GRAMS FOR ADULTS WITH LIMITED ENGLISH PRO-  
 16           FICIENCY.—

17                   “(1) DEFINITIONS.—In this subsection:

18                           “(A) INTEGRATED WORKFORCE TRAIN-  
 19                   ING.—The term ‘integrated workforce training’  
 20                   means training that integrates occupational  
 21                   skills training with language acquisition.

22                           “(B) SECRETARY.—The term ‘Secretary’  
 23                   means the Secretary of Labor in consultation  
 24                   with the Secretary of Education.

1           “(2) DEMONSTRATION PROJECT.—In accord-  
2           ance with subsection (b), the Secretary shall estab-  
3           lish and implement a national demonstration project  
4           designed to both analyze and provide data on work-  
5           force training programs that integrate English lan-  
6           guage acquisition and occupational training.

7           “(3) GRANTS.—

8                   “(A) IN GENERAL.—In carrying out the  
9                   demonstration project, the Secretary shall make  
10                  not less than 10 grants, on a competitive basis,  
11                  to eligible entities to provide the integrated  
12                  workforce training programs. In awarding  
13                  grants under this subsection the Secretary shall  
14                  take into consideration awarding grants to eligi-  
15                  ble entities from diverse geographic areas, in-  
16                  cluding rural areas.

17                  “(B) PERIODS.—The Secretary shall make  
18                  the grants for periods of not less than 24  
19                  months and not more than 48 months.

20           “(4) ELIGIBLE ENTITIES.—

21                   “(A) IN GENERAL.—To be eligible to re-  
22                   ceive a grant under this subsection, an eligible  
23                   entity shall work in conjunction with a local  
24                   board and shall include as a principal partici-  
25                   pant one or more of the following:

1 “(i) An employer or employer associa-  
2 tion.

3 “(ii) A nonprofit provider of English  
4 language instruction.

5 “(iii) A provider of occupational or  
6 skills training.

7 “(iv) A community-based organiza-  
8 tion.

9 “(v) An educational institution, in-  
10 cluding a 2- or 4-year college, or a tech-  
11 nical or vocational school.

12 “(vi) A labor organization.

13 “(vii) A local board.

14 “(B) EXPERTISE.—To be eligible to re-  
15 ceive a grant under this subsection, an eligible  
16 entity shall have proven expertise in—

17 “(i) serving individuals with limited  
18 English proficiency, including individuals  
19 with lower levels of oral and written  
20 English; and

21 “(ii) providing workforce programs  
22 with training and English language in-  
23 struction.

24 “(5) APPLICATIONS.—

1           “(A) IN GENERAL.—To be eligible to re-  
 2           ceive a grant under this subsection, an eligible  
 3           entity shall submit an application to the Sec-  
 4           retary at such time, in such manner, and con-  
 5           taining such information as the Secretary may  
 6           require.

7           “(B) CONTENTS.—Each application sub-  
 8           mitted under subparagraph (A) shall—

9                   “(i) contain information, including ca-  
 10                  pability statements, that demonstrates that  
 11                  the eligible entity has the expertise de-  
 12                  scribed in paragraph (4)(B); and

13                  “(ii) include an assurance that the  
 14                  program to be assisted shall—

15                           “(I) establish a generalized adult  
 16                          bilingual workforce training and edu-  
 17                          cation model that integrates English  
 18                          language acquisition and occupational  
 19                          training, and incorporates the unique  
 20                          linguistic and cultural factors of the  
 21                          participants;

22                           “(II) establish a framework by  
 23                          which the employer, employee, and  
 24                          other relevant members of the eligible  
 25                          entity can create a career development

1 and training plan that assists both the  
 2 employer and the employee to meet  
 3 their long-term needs;

4 “(III) ensure that the framework  
 5 established under subclause (II) takes  
 6 into consideration the knowledge,  
 7 skills, and abilities of the employee  
 8 with respect to both the current and  
 9 economic conditions of the employer  
 10 and future labor market conditions  
 11 relevant to the local area; and

12 “(IV) establish identifiable meas-  
 13 ures so that the progress of the em-  
 14 ployee and employer and the relative  
 15 efficacy of the program can be evalu-  
 16 ated and best practices identified.

17 “(6) CRITERIA.—The Secretary shall establish  
 18 criteria for awarding grants under this subsection.

19 “(7) INTEGRATED WORKFORCE TRAINING PRO-  
 20 GRAMS.—

21 “(A) PROGRAM COMPONENTS.—

22 “(i) REQUIRED COMPONENTS.—Each  
 23 program that receives funding under this  
 24 subsection shall—

1 “(I) test an individual’s English  
 2 language proficiency levels to assess  
 3 oral and literacy gains from the begin-  
 4 ning and throughout program enroll-  
 5 ment;

6 “(II) combine training specific to  
 7 a particular occupation or occupa-  
 8 tional cluster, with—

9 “(aa) English language in-  
 10 struction, such as instruction  
 11 through an English as a Second  
 12 Language program, or an  
 13 English for Speakers of Other  
 14 Languages program;

15 “(bb) basic skills instruc-  
 16 tion; and

17 “(cc) supportive services;

18 “(III) effectively integrate public  
 19 and private sector entities, including  
 20 the local workforce investment system  
 21 and its functions, to achieve the goals  
 22 of the program; and

23 “(IV) require matching or in-  
 24 kind resources from private and non-  
 25 profit entities.



1 “(ii) PERMISSIBLE COMPONENTS.—

2 The program may offer other services, as  
 3 necessary to promote successful participa-  
 4 tion and completion, including work-based  
 5 learning, substance abuse treatment, and  
 6 mental health services.

7 “(B) GOAL.—Each program that receives  
 8 funding under this subsection shall be designed  
 9 to prepare limited English proficient adults for,  
 10 and place such adults in, employment in grow-  
 11 ing industries with identifiable career ladder  
 12 paths.

13 “(C) PROGRAM TYPES.—In selecting pro-  
 14 grams to receive funding under this subsection,  
 15 the Secretary shall select programs that meet 1  
 16 or more of the following criteria:

17 “(i) A program that—

18 “(I) serves unemployed, limited  
 19 English proficient individuals with sig-  
 20 nificant work experience or substan-  
 21 tial education but persistently low  
 22 wages; and

23 “(II) aims to prepare such indi-  
 24 viduals for, and place such individuals  
 25 in, higher paying employment, defined

1 for purposes of this subparagraph as  
2 employment that provides at least 75  
3 percent of the median wage in the  
4 local area.

5 “(ii) A program that—

6 “(I) serves limited English pro-  
7 ficient individuals with lower levels of  
8 oral and written fluency, who are  
9 working but at persistently low wages;  
10 and

11 “(II) aims to prepare such indi-  
12 viduals for, and place such individuals  
13 in, higher paying employment,  
14 through services provided at the work  
15 site, or at a location central to several  
16 work sites, during work hours.

17 “(iii) A program that—

18 “(I) serves unemployed, limited  
19 English proficient individuals with  
20 lower levels of oral and written flu-  
21 ency, who have little or no work expe-  
22 rience; and

23 “(II) aims to prepare such indi-  
24 viduals for, and place such individuals  
25 in, employment through services that

1 include subsidized employment, in ad-  
2 dition to the components required in  
3 subparagraph (A)(i).

4 “(iv) A program that includes funds  
5 from private and nonprofit entities.

6 “(D) PROGRAM APPROACHES.—In select-  
7 ing programs to receive funding under this sub-  
8 section, the Secretary shall select programs  
9 with different approaches to integrated work-  
10 force training, in different contexts, in order to  
11 obtain comparative data on multiple approaches  
12 to integrated workforce training and English  
13 language instruction, to ensure programs are  
14 tailored to characteristics of individuals with  
15 varying skill levels and to assess how different  
16 curricula work for limited English proficient  
17 populations. Such approaches may include—

18 “(i) bilingual programs in which the  
19 workplace language component and the  
20 training are conducted in a combination of  
21 an individual’s native language and  
22 English;

23 “(ii) integrated workforce training  
24 programs that combine basic skills, lan-

1           guage instruction, and job specific skills  
2           training; or

3           “(iii) sequential programs that provide  
4           a progression of skills, language, and train-  
5           ing to ensure success upon an individual’s  
6           completion of the program.

7           “(8) EVALUATION BY ELIGIBLE ENTITY.—Each  
8           eligible entity that receives a grant under this sub-  
9           section for a program shall carry out a continuous  
10          program evaluation and an evaluation specific to the  
11          last phase of the program operations.

12          “(9) EVALUATION BY SECRETARY.—

13               “(A) IN GENERAL.—The Secretary shall  
14               conduct an evaluation of program impacts of  
15               the programs funded under the demonstration  
16               project, with a random assignment, experi-  
17               mental design impact study done at each work-  
18               site at which such a program is carried out.

19               “(B) DATA COLLECTION AND ANALYSIS.—  
20               The Secretary shall collect and analyze the data  
21               from the demonstration project to determine  
22               program effectiveness, including gains in lan-  
23               guage proficiency, acquisition of skills, and job  
24               advancement for program participants.

1           “(C) REPORT.—The Secretary shall pre-  
 2           pare and submit to the Committee on Health,  
 3           Education, Labor, and Pensions of the Senate  
 4           and the Committee on Education and the  
 5           Workforce of the House of Representatives, and  
 6           make available to the public, a report on the  
 7           demonstration project, including the results of  
 8           the evaluation.

9           “(10) TECHNICAL ASSISTANCE.—The Secretary  
 10          shall provide technical assistance to recipients of  
 11          grants under this subsection throughout the grant  
 12          periods.

13          “(11) AUTHORIZATION OF APPROPRIATIONS.—  
 14          In addition to amounts authorized to be appro-  
 15          priated under section 174(b), there are authorized to  
 16          be appropriated for fiscal year 2006—

17                 “(A) \$10,000,000 to make grants under  
 18                 paragraph (3); and

19                 “(B) \$1,000,000 to carry out paragraph  
 20                 (9).”.

○